

JUDGE'S COPY

Copy
11

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WALTER PENN,
Plaintiff

: CIVIL ACTION

v.

: NO. 1:CV-00-0771

BEN E. VARNER, et al.,
Defendants'

: (JUDGE RAMBO)

FILED
HARRISBURG, PA

JUL 28 2000

MOTION FOR ENLARGEMENT OF TIME

MARY E. D'ANDREA, CLERK
Per gls
Clerk

TO THE HONORABLE SYLVIA H. RAMBO, JUDGE OF THE ABOVE SAID COURT:

Pursuant to Rule 6,(b)(2), of the F.R.C.P., and "Local Rules" of Court, 7.5(a), Plaintiff Walter Penn, pro se. respectfully request and move this Honorable Court to grant him an "Enlargement of Time," within which to file "Opposing brief in Opposition" "To Defendants' Motion-To Dismiss." In support of said motion the following is respectfully represented:

1. That on July 6, 2000, Plaintiff received a copy of the defendants' "motion to dismiss."
2. That, pursuant to "Local Rule" 7.6, Plaintiff is required to file "Opposing brief" along with any affidavits or other documents within (15) days.
3. That, due to Plaintiffs situation of incarceration and his inability to move freely from his cell to the law library, to have copies of his Exhibits made; and to conduct legal-research; as we are allowed 1-designated day in the week to attend the law library, it would be impossible for Plaintiff to meet his present deadline, which Plaintiff believes to be July 24, 2000.

For the forgoing reasons, Plaintiff request this Honorable Court, to grant his motion for "Enlargement of Time," from July 24,2000, to July 31,2000, within which to file "Opposing Brief and accompanying Exhibits."

And Plaintiff shall ever pray.

RESPECTFULLY SUBMITTED,

1st Walter Penn

Walter Penn, Pro Se.

#AP-9156

SCI-Dallas

1000 Follies Road

Dallas, PA 18612-0286

Dated:

7/21/2000
cc: file

CERTIFICATE OF SERVICE

I, Walter Penn, Plaintiff pro se., hereby certify that on this date I caused to be served the "Foregoing motion for enlargement of time," upon counsel for the Defendants' by depositing a copy of the same in the United States mail, postage prepaid, at SCI-Dallas, PA., addressed to the following:

Maryanne M. Lewis
Office of Attorney General
15th Floor, Strawberry Square
Harrisburg PA 17120

Walter Penn
Walter Penn, pro se.

Dated:

7/21/2000

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WALTER PENN,
Plaintiff

: CIVIL ACTION

v.

: NO. 1:CV-00-0771

BEN E. VARNER, et al.
Defendants'

: (JUDGE RAMBO)

ORDER

AND NOW, this _____ day of _____, 2000, upon
consideration of Plaintiffs Motion for Enlargement of Time within
which to file Brief in Opposition to Defendants' Motion to Dismiss
and Defendants' response thereto, it is hereby ORDERED that Plaintiffs
motion is GRANTED.

RAMBO, J.